

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

UNITED STATES OF AMERICA,	§	
	§	
Plaintiff,	§	
v.	§	Cause No.: EP-11-CR-02728-KC
	§	
ANGEL OCASIO,	§	
	§	
Defendant.	§	

GOVERNMENT’S REQUEST FOR NOTICE OF ALIBI DEFENSE

COMES NOW the United States of America, by and through the United States Attorney for the Western District of Texas and the undersigned Assistant United States Attorney, and files this Request for Notice of Alibi pursuant to Rule 12.1 of the Federal Rules of Criminal Procedure:

The original Demand for Notice of Alibi Defense was submitted in this cause on May 16, 2012, prior to the initial trial setting in this cause [ECF Doc. 37]. Due to passage of time and change in defense counsel, the Government again requests notice of any alibi defense in the above-captioned matter and further states that the government’s contention is that the offenses took place on the following dates in El Paso, Texas:

Count 1: Beginning two (2) hours prior to and during the following times on the specified dates:

- 2/27/2009 12:20:30 AM to 2:22:00 PM
- 3/1/2009 12:37:48 PM to 12:53:20 PM
- 4/17/2009 4:45:18 PM to 5:15:18 PM
- 4/18/2009 1:32:25 PM to 2:36:20 PM
- 4/19/2009 3:51:04 AM to 12:44:43 PM

- 4/20/2009 12:57:56 AM
- 5/13/2009 5:59:43 PM
- 5/29/2009 8:28:08 PM to 8:34:12 PM
- 7/28/2009 11:08:03 PM
- 5/24/2010 5:55:56 PM to 6:44:21 PM
- 2/14/2011 1:27:54 PM
- 4/8/2011 10:38:54 AM to 10:45:16 AM
- 4/10/2011 10:58:00 AM to 11:00:23 AM
- 4/14/2011 8:06:56 PM to 11:48:29 PM
- 4/15/2011 1:36:20 AM

Count 2: On or about February 14, 2011.

Count 3: On or about February 14, 2011.

Count 4: On or about October 6, 2011.

Respectfully submitted,

ROBERT PITMAN
UNITED STATES ATTORNEY

By: /s/

J. BRANDY GARDES
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/s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of May, 2013, a true and correct copy of the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to the following CM/ECF participant:

Michael F. Gorman, AFPD
Shane McMahon, AFPD

As attorneys for defendant.

_____/s/_____
J. BRANDY GARDES
Assistant U.S. Attorney